

LISTING OF THE CLAIMS

1. (Currently Amended) A method comprising:
accessing a database of data streams by at least one server;
selecting at least one data stream for broadcast over a computer network to an individual user computer as a personalized internet radio station, said at least one data stream being selected from said database according to a selection method performed by said at least one server to create a playlist of data streams, said selection method performed by said at least one server being influenced by input received from said individual user that comprises individual user preferences for data streams to be broadcast but not controlled by said individual user's input so as to prevent an on-demand selection of data streams by the at least one server for broadcast of data streams to said individual user based on data stream preferences;
transmitting said at least one selected data stream to said individual user computer from said at least one server via said network;
receiving feedback via said network at said at least one server, said feedback expressing an individual user preference of said individual user regarding at least one of said transmitted at least one data stream; and
updating said selection method using said individual user preference of said individual user,
said updated selection method performed by said at least one server biases selection of data streams to be experienced at said individual user computer in accordance with said individual user preferences and limits said individual user's control over selection of particular data streams from said database to prevent said on-demand selection broadcast of data streams.
2. (Previously Presented) The method of Claim 1, further comprising:
performing said selection method by said at least one server to select a plurality of data streams from said database to generate a playlist of data streams to be transmitted to said individual user computer;

- transmitting by said at least one server one data stream from said playlist of data streams to said individual user computer via said network; and performing said step of updating by said at least one server to update said playlist of data streams using said individual user preferences.
3. (Previously Presented) The method of Claim 1, the steps further comprising:
receiving by said at least one server via said network feedback expressing preferences from sources other than said individual user.
 4. (Previously Presented) The method of Claim 3, wherein the step of receiving preferences from sources other than said individual user further comprises:
receiving by said at least one server via said network feedback expressing preferences from the group consisting of other users, commercial radio stations, and lists of popular songs.
 5. (Previously Presented) The method of Claim 1, further comprising:
informing said individual user generally regarding said database and said data streams;
querying said individual user as to initial individual user preferences and then performing said step of selecting at least one data stream from said database to generate an initial transmission list of data streams, said initial transmission list being selected using said initial individual user preferences and said selection method.
 6. (Previously Presented) The method of Claim 1, wherein said data streams are selected from the group consisting of songs and videos.
 7. (Previously Presented) The method of Claim 2, wherein said transmitted data stream is removed from said transmission list.
 8. (Previously Presented) The method of Claim 7, wherein said data stream removed from said transmission list is listed on a transmitted data stream list.

9. (Previously Presented) The method of Claim 1, wherein said step of transmitting one of said data streams further comprises transmitting said one of said data streams selected by said selection method, said selection method taking into account sound recording performance restrictions in data stream selection.
10. (Cancelled)
11. (Currently Amended) A system comprising:
 - at least one server connected to a computer network, said computer network connected to an individual user computer;
 - a database of media content data streams, said database available to said computer network;
 - a data stream controller coupled to said at least one server, said data stream controller transmitting media content data streams to said individual user computer according to a selection program performed by said at least one server to select data streams for broadcast over said computer network to said individual user computer;
 - said selection program used in selecting media content data streams for transmission to said individual user computer via said data stream controller as a personalized internet radio station for said individual user, said selection program receiving feedback via said computer network indicating a preference corresponding to at least one of the media content data streams from said individual user, said selection program performed by said at least one server being influenced but not controlled by said individual user preferences, said selection program using said individual user preferences to bias selection of data streams to be experienced at said individual user computer and limiting said individual user's control over selection of data streams from said database to prevent an on-demand selection of ~~said a particular~~ data streams by said at least one server for transmission to said individual user based on data stream preferences.
12. (Previously Presented) The system of Claim 11, wherein said computer network comprises the Internet.

13. (Previously Presented) The system of Claim 11, wherein said database is a song database and the data streams are songs.
14. (Previously Presented) The system of Claim 11, wherein said database is a music video database and the data streams are music videos.
15. (Previously Presented) The system of Claim 11, wherein said media content data streams are to be experienced via an electronic media player.
16. (Cancelled)
17. (Previously Presented) The system of Claim 11, wherein said selection program creates a playlist of data streams for transmission to said individual user.
18. (Previously Presented) The system of Claim 17, wherein said selection program modifies said playlist of data streams for transmission to said individual user according to said individual user preferences.
19. (Previously Presented) The system of Claim 11, further comprising:
said data stream controller transmitting said data streams selected by said selection
program, said selection program taking into account sound recording performance
restrictions.
20. (Cancelled)
21. (Currently Amended) An apparatus comprising:
at least one server that executes code to provide:
a rating tool, said rating tool receiving individual user preferences regarding one
or more data streams played at an individual user computer by a media

player, said individual user preferences comprising said individual user's ratings associated with said one or more data streams; and
a playlist generator, said playlist generator generating a playlist[[s]] identifying data streams to be experienced by an individual user as a personalized internet radio station using said media player, said playlist generator selecting data streams for inclusion on said playlist according to said individual user preferences received from said individual user, said playlist generator biasing selection in accordance with said individual user preference and limiting said individual user's control over data stream selection to prevent an on-demand selection of a data stream by said at least one server for broadcast to said individual user based on data stream preferences.

22. (Cancelled)

23. (Previously Presented) An apparatus of Claim 21, further comprising:
said playlist generator further selecting data streams in accordance with sound recording performance restrictions.

24. (Currently Amended) A method comprising:
accessing a database of data streams by at least one server;
selecting at least one data stream for broadcast over a computer network to an individual user computer as a personalized internet radio station, said at least one data stream being selected from said database according to a selection method performed by said at least one server to create a playlist of data streams, said selection method performed by said at least one server being influenced by input received from said individual user that comprises individual user preferences for data streams to be broadcast but not controlled by said individual user's input so as to prevent an on-demand selection of data streams by said at least one server for broadcast of data streams to said individual user based on data stream preferences;

- transmitting said at least one selected data stream to said individual user computer from said at least one server via said network;
receiving feedback via said network at said at least one server, said feedback expressing an individual user preference of said individual user regarding at least one of said transmitted at least one data stream; and
updating said selection method using said individual user preference of said individual user, said updated selection method performed by said at least one server biases selection of data streams to be experienced at said individual user computer in accordance with said individual user preferences, taking into account user input identifying those data streams that are to be excluded from being selected for transmission to said individual user computer, and limits said individual user's control over selection of particular data streams from said database to prevent said on-demand selection ~~broadcast~~ of data streams.
25. (Previously Presented) The method of Claim 24, further comprising:
performing said selection method by said at least one server to select a plurality of data streams from said database to generate a playlist of data streams to be transmitted to said individual user computer;
transmitting by said at least one server one data stream from said playlist of data streams to said individual user computer via said network; and
performing said step of updating by said at least one server to update said playlist of data streams using said individual user preferences.
26. (Previously Presented) The method of Claim 24, the steps further comprising:
receiving by said at least one server via said network feedback expressing preferences from sources other than said individual user.
27. (Previously Presented) The method of Claim 26, wherein the step of receiving preferences from sources other than said individual user further comprises:

- receiving by said at least one server via said network feedback expressing preferences from the group consisting of other users, commercial radio stations, and lists of popular songs.
28. (Previously Presented) The method of Claim 24, further comprising:
informing said individual user generally regarding said database and said data streams;
querying said individual user as to initial individual user preferences and then performing
said step of selecting at least one data stream from said database to generate an
initial transmission list of data streams, said initial transmission list being selected
using said initial individual user preferences and said selection method.
29. (Previously Presented) The method of Claim 24, wherein said data streams are selected
from the group consisting of songs and videos.
30. (Previously Presented) The method of Claim 25, wherein said transmitted data stream is
removed from said transmission list.
31. (Previously Presented) The method of Claim 30, wherein said data stream removed from
said transmission list is listed on a transmitted data stream list.
32. (Previously Presented) The method of Claim 24, wherein said step of transmitting one of
said data streams further comprises transmitting said one of said data streams selected by
said selection method, said selection method taking into account sound recording
performance restrictions in data stream selection.
33. (Cancelled)
34. (Cancelled)

35. (Currently Amended) A system comprising:
at least one server connected to a computer network, said computer network connected to an individual user computer;
a database of media content data streams, said database available to said computer network;
a data stream controller coupled to said at least one server, said data stream controller transmitting media content data streams to said individual user computer according to a selection program performed by said at least one server to select data streams for broadcast over said computer network to said individual user computer;
said selection program used in selecting media content data streams for transmission to said individual user computer via said data stream controller as a personalized internet radio station for said individual user, said selection program receiving feedback via said computer network indicating a preference corresponding to at least one of the media content data streams from said individual user, said selection program performed by said at least one server being influenced but not controlled by said individual user preferences, said selection program using said individual user preferences to bias selection of data streams to be experienced at said individual user computer, taking into account individual user input identifying those data streams that to be excluded from being selected for transmission to said individual user computer, and limiting said individual user's control over selection of data streams from said database to prevent an on-demand selection of a particular data stream by said at least one server for transmission to said individual user based on data stream preferences.
36. (Previously Presented) The system of Claim 35, wherein said computer network comprises the Internet.
37. (Previously Presented) The system of Claim 35, wherein said database is a song database and the data streams are songs.
38. (Previously Presented) The system of Claim 35, wherein said database is a music video database and the data streams are music videos.

39. (Previously Presented) The system of Claim 35, wherein said media content data streams are to be experienced via an electronic media player.
40. (Cancelled)
41. (Previously Presented) The system of Claim 35, wherein said selection program creates a playlist of data streams for transmission to said individual user.
42. (Previously Presented) The system of Claim 41, wherein said selection program modifies said playlist of data streams for transmission to said individual user according to said individual user preferences.
43. (Previously Presented) The system as set forth in Claim 35, further comprising:
said data stream controller transmitting said data streams selected by said selection program, said selection program taking into account sound recording performance restrictions.
44. (Cancelled)
45. (Cancelled)
46. (Previously Presented) An apparatus comprising:
at least one server that executes code to provide:
a rating tool, said rating tool receiving individual user preferences regarding one or more data streams played at an individual user computer by a media player, said individual user preferences comprising said individual user's ratings associated with said one or more data streams; and
a playlist generator, said playlist generator generating a playlist[[s]] identifying data streams to be experienced by an individual user as a personalized

internet radio station using said media player, said playlist generator selecting data streams for inclusion on said playlist according to said individual user preferences received from said individual user, said playlist generator biasing selection in accordance with said individual user preferences, taking into account individual user input identifying those data streams that are to be excluded from being selected for transmission to said individual user computer, and limiting said individual user's control over data stream selection to prevent an on-demand selection of a data stream by said at least one server for broadcast to said individual user based on data stream preferences.

47. (Cancelled)

48. (Previously Presented) An apparatus of Claim 46, further comprising:
said playlist generator further selecting data streams in accordance with being in compliance
with sound recording performance restrictions.